

## Tips to Stay on Track

- ✓ Use up current supply of non-compliant bags before January 1, 2012.
- ✓ Provide customers another option by selling reusable bags.
- ✓ Talk to your supplier to order recycled paper bags that meet all the ordinance requirements.
- ✓ Get ready to sell the recycled paper bags - program your cash register to show the sale of recycled paper bags on the sales receipt.
- ✓ Develop a system to keep at least three years of sales records on site of the purchase and sales of recycled paper bags.
- ✓ Train your employees about the ordinance criteria for recycled paper bag sales and protective bag uses.
- ✓ Remember to increase the minimum price for recycled paper bag sales beginning January 1, 2014.

## Businesses Excluded from the Ordinance

Businesses that are not considered to be retail establishments are: (1) public eating establishments and (2) non-profit charitable reusers.

A public eating establishment is a business that receives 90% or more of its business revenue from the sale of prepared food.

501(c)(3) corporations that receive 50% or more of their business revenue from the sale of donated goods or materials may be exempt as nonprofit charitable reusers.

## Retailer Resources

For more resources and information, go to:  
[www.sjrecycles.org/bags/retailers.asp](http://www.sjrecycles.org/bags/retailers.asp)

### Resources include:

- Ordinance Document: (SJMC sections 9.10.2010, 9.10.2020, and 9.10.2030)
- Retailer Frequently Asked Questions
- List of Recycled Paper Bag Suppliers
- List of Reusable Bag Suppliers
- Customer Fact Sheet
- Retailer Toolkit Materials

### Sign up for the retailer mailing list

To stay informed on the latest retailer updates - click on this green icon at the retailer webpage.

Retailers  
Join Our  
Mailing  
List

CLICK HERE

### Questions? Contact Us:

Phone: 408-534-BYOB (2962)  
Email: [Bring-ur-Bag@sanjoseca.gov](mailto:Bring-ur-Bag@sanjoseca.gov)



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To request an accommodation under the Americans with Disabilities Act, call 408-535-3500. Spanish, Vietnamese, and Chinese-language services are available upon request.  
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## City of San José's Bring Your Own Bag Ordinance

### Who should use this brochure?

- Grocery stores
- Convenience stores
- Pharmacies
- Hardware stores
- Local retail stores
- National retail stores
- Mobile retail vendors

The ordinance applies to retail establishments located within or doing business within the City of San José.



# Shopping with Reusable Bags is the Best Choice

In January 2011, the City of San José adopted the Bring Your Own Bag ordinance. All grocery and retail stores in San José can no longer provide single-use carryout plastic bags or distribute paper bags for free at checkout.



Consumers have the option to bring their own reusable bags or pay for recycled content paper bags.

Plastic bags are one of the most common litter items found in creek cleanups.

A reusable bag has the potential to replace over 600 single-use plastic bags over its lifetime. Shopping with reusable bags is a great way to take part in reducing litter and waste, protecting creeks, and conserving natural resources.

## General Ordinance Details

- Applies to all grocery and retail stores
- Prohibits single-use plastic bags
- Promotes reusable bags
- Allows for the sale of recycled content paper bags for a minimum price
- Allows for protective bags without handles
- The City responds to each complaint, which may result in fines up to \$1000



## Recycled Paper Bags

The paper bags your store offers for sale at checkout must meet the following requirements:

- (1) Paper bag fibers must contain no old growth fibers,
- (2) Bags must be a minimum of 40% post-consumer recycled content paper,
- (3) Bags must be 100% recyclable, including the handles, AND
- (4) Bags must have all the following information printed in a highly visible manner on the outside of the bag:
  - Words “Reusable” and “Recyclable,”
  - Name and location of the manufacturer, and
  - The percentage of post-consumer recycled content paper.



## Sales of Recycled Paper Bags

All sales of recycled paper bags must be itemized on the customer receipt.

The minimum price for each recycled paper bag is 10 cents starting January 1, 2012. The minimum price then increases to 25 cents beginning January 1, 2014.

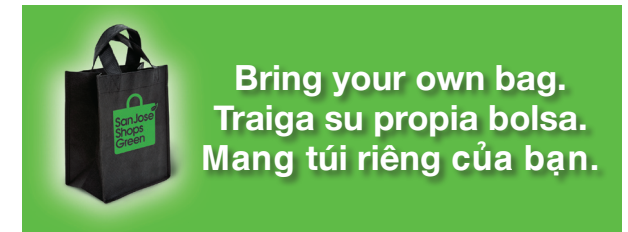
All the proceeds from the sale of recycled paper bags are retained by the retailer without any restrictions on their use.

Supplemental Food Program or WIC Program transactions can be exempt from the cost of recycled paper bags at checkout until January 1, 2014.

## Purchase & Sales Records

At least three years of records for the purchase and sale of 40% post-consumer recycled content paper bags must be maintained on site and made readily available to an inspector.

Alternative methods for review of long-term sales records may be approved on a case-by-case basis.



## Reusable Bags

Under the ordinance, a bag is considered to be reusable only if it meets one of the following criteria:

- (1) Cloth or other machine washable fabric with handles; OR
- (2) Durable plastic at least 2.25 mil thick, with handles, and specifically designed and manufactured for multiple reuse.

## Use of Protective Bags

Protective Bags are paper or plastic bags that are allowable only if they meet certain requirements:

- (1) Do not have handles; AND
- (2) Are used to transport produce from produce department, bulk food from bulk food area, meat from meat department, or medication from pharmacy;  
OR
- (3) Are used to segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a reusable or recycled paper bag.